



1200 Wilmette Avenue
Wilmette, Illinois 60091-0040

MEETING MINUTES

ZONING BOARD OF APPEALS

WEDNESDAY, FEBRUARY 7, 2018

7:30 P.M.

COUNCIL CHAMBERS

Members Present: Chairman Patrick Duffy
Mike Boyer
John Kolleng
Reinhard Schneider
Bob Surman

Members Absent: Michael Robke
Christopher Tritsis

Staff Present: Lisa Roberts, Assistant Director of Community Development

I. Call to Order

Chairman Patrick Duffy called the meeting to order at 7:30 p.m.

II. 2018-Z-06 3612 Lake Avenue

See the complete case minutes attached to this document.

III. 2018-Z-05 1740 Lake Avenue

See the complete case minutes attached to this document.

IV. 2018-Z-04 4080 Bunker Lane

See the complete case minutes attached to this document.

V. 2017-Z-63 238 Kilpatrick Avenue

See the complete case minutes attached to this document.

VI. Approval of the January 3, 2018 Meeting Minutes

Mr. Kolleng moved to approve the January 3, 2018 meeting minutes.

Mr. Surman seconded the motion and the voice vote was all ayes and no nays. Motion carried.

VII. Public Comment

There was no public comment.

VIII. Adjournment

The meeting was adjourned at 8:44 p.m.

Respectfully submitted,

Lisa Roberts
Assistant Director of Community Development

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Mr. Ted Werle, applicant
APEX Design Build

3.12 Mr. Jim Limperis, DMD

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a special use for a medical/dental clinic, large to permit the operation of dental office. The Village Board will hear this case on February 27, 2018.

3.22 Mr. Werle said that Dr. Limperis is asking for a special use for a dental office that is over 2000 square feet. The building and location are well-suited for the purpose.

3.23 Chairman Duffy asked about the previous use.

Mr. Werle said there was a plastic surgeon in the office previously.

3.24 Chairman Duffy asked about the number of employees at any one time.

Dr. Limperis said that one dentist would be there, a part-time dentist, two more full-time and four part-time employees, but they won't all be there at the same time. At any one time, maybe there would be six employees and that would be one day per week. That would serve four patients.

3.25 Chairman Duffy noted that there is a lot of parking, but does he foresee any parking issues.

Dr. Limperis said that sometimes it looks very full but there will still be about 12 to 13 parking spaces.

3.26 Chairman Duffy asked the length of time that the plastic surgeon office was there.

Ms. Roberts said she does not know that information.

Mr. Werle said the space has been vacant for at least one year.

3.27 Mr. Surman said that plastic surgeons were in that space for many years.

3.28 Mr. Surman asked the applicant about his current office.

Dr. Limperis said his current office is in West Lake Plaza. He is outgrowing his space.

3.29 There was no one at the hearing to speak on the case.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Surman said that it was a medical office in the past and is being changed to a dental office. There is sufficient parking. He can support the request.

5.2 Mr. Boyer said that the proposal makes sense and all standards of review for special use are met. He can support the application.

5.3 Chairman Duffy agreed with the above comments.

6.0 DECISION

6.1 Mr. Surman moved to recommend granting a request for a special use for a medical/dental clinic, large to permit the operation of dental office at 3612 Lake Avenue in accordance with the plans submitted. The use shall run with the use.

6.11 Mr. Boyer seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Michael Robke	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes
Christopher Tritsis	Not Present

Motion carried.

6.2 Mr. Surman moved to authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case 2018-Z-06.

6.21 Mr. Kolleng seconded the motion and the voice vote was all ayes and no nays.

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the special use standards of Section 5.3.E of the Zoning Ordinance. The proposed use in the specific location is consistent with the goals of the Comprehensive Plan. While the building is in the NR

zoning district, its primary use is for medical offices. The proposed use replaces another medical use. Therefore, the proposed use will not endanger the public health, safety and welfare nor will it be injurious to the use or enjoyment of other property. The proposed use will not impede the normal and orderly development of surrounding properties nor will the use diminish property values in the neighborhood. Adequate utilities, access and other facilities exist on the site and in the neighborhood as do adequate ingress and egress. The proposed use will not substantially adversely affect any known archaeological, historical or cultural resources. The proposed use will not impact any existing buffers, landscaping or public open space. No other standards of Article 12 apply.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a special use for a medical/dental clinic, large to permit the operation of dental office at 3612 Lake Avenue in accordance with the plans submitted. The use shall run with the use.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Ms. Jill Zenkowicz, representing St. Joseph School

3.12 Mr. Jim O'Brien, representing St. Joseph School
O'Brien Landscaping

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a 3.0' fence pier foundation setback variation to permit the installation of fence piers. The Village Board will hear this case on February 27, 2018.

3.22 Mr. O'Brien said that they are helping the school with implementation of the plan to be discussed at the meeting.

3.23 Ms. Zenkowicz said they are looking to replace the chain link backstop at Lake and Ridge. It was her understanding that they can replace the fence, itself, even though it is on Village property and that the issue in question are the stone and brick pillars that will anchor the fence. There has been a request on the village's behalf to get an additional 3' from the school's property line, but that will encroach into the parking lot, which is very busy. They are proposing to keep it on their property line vs. the village's property line.

Mr. O'Brien said that the piers will be right on the property line.

3.24 Mr. Schneider referenced 1.4. The proposed fence runs mainly east/west on the south side of the lot and north/south on the west side of the lot. Are they saying that the edge of the pier will abut the property line?

Mr. O'Brien said that the edge of the pier will abut the property line along Lake Avenue and it will be set back on Ridge. They have more room on the Ridge side.

3.25 Mr. Schneider asked how far it would be set back on Ridge.

Mr. O'Brien said they do not have the exact engineering plans, but it will be entirely on St. Joe's property opposite Treasure Island and not within the setback area.

3.26 Mr. Surman asked if the fence was currently on the lot line.

Mr. O'Brien said that the fence is currently on village property and has been there since the 40s. This is a landmark property. The reason why they want to put the piers on the property line is otherwise there would be a mess in trying to reconfigure

the parking lot. This is going to be an amazing beautification project for the corner. It will be a great secondary entrance into the village.

- 3.27 Chairman Duffy referenced 1.5. He talked about the double line diamond shape. What is that?

Mr. O'Brien said those are pour joints for the concrete pattern. It is not a structure.

- 3.28 Mr. Surman clarified that the drawings were schematic.

Mr. O'Brien said they will prepare full submittal drawings for the permit.

- 3.29 Mr. Schneider asked if there was a bus stop along that stretch.

Ms. Zenkowicz said there is a public bus stop in front of Ridgeview Restaurant.

- 3.30 Chairman Duffy said that there is a bus stop going the other direction at the location of the driveway cut out, which is adjacent to the parking lot on Lake Avenue.

- 3.31 Mr. Schneider said that this is shown on 1.4. He clarified that the fence would go up to the bus stop.

- 3.32 Mr. Schneider referenced 1.6. He said that there is a 20" high dimension on the drawing. Aren't the piers higher than 20"?

Mr. O'Brien said the first two piers by the entry planter will be lower. The fence will taper down.

- 3.37 Mr. Schneider said that 1.7 shows the tapering.

- 3.38 There was no one in the audience to speak on this case.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

- 5.1 Mr. Kolleng said the fence has been 1.3' on the village property for a long time. There will be a hardship if they must reconfigure things in the parking lot for pick up and drop off. It will significantly improve the appearance the chain link fence's appearance. Standards of review are met, and he can support this.

- 5.2 Mr. Boyer agreed and added this is a unique situation having a school in a residential district. All standards are met particularly the one about preventing a reasonable use. Putting up a fence to enclose the parking lot and yard is a reasonable use.

- 5.3 Chairman Duffy saw no issue with the request. The corner will be beautified by the request. Standards of review are met, and he supports this.

6.0 DECISION

6.1 Mr. Kolleng moved to recommend granting a request for a 3.0’ fence pier foundation setback variation to permit the installation of fence piers at 1740 Lake Avenue in accordance with the plans submitted.

6.11 Mr. Boyer seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Michael Robke	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes
Christopher Tritsis	Not Present

Motion carried

6.2 Mr. Surman authorized the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2018-Z-05.

6.21 Mr. Kolleng seconded the motion and the voice vote was all ayes and no nays.

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the variation standards of Section 5.4.F and the fence variation standards of Section 5.4.F.h of the Zoning Ordinance. The physical condition of the property, the location of the existing fence and parking lot, imposes upon the owner a practical difficulty. The plight of the owner was not created by the owner and is due to the unique development of the lot. The difficulty prevents the owner from making reasonable use of the property with site improvements while still maintaining parking spaces. The proposed variation will not impair an adequate supply of light and air and will improve the current situation by removing the fence from the public right-of-way. The variation, if granted, will enhance the essential character of the neighborhood and improve the appearance of the property.

The proposed replacement fence faces Lake Avenue and Ridge Road, two streets with high volumes of traffic. The proposed fence will improve the appearance of this visible intersection. The proposed fence will replace an existing non-conforming fence of chain link and relocate the fence entirely onto private property. The proposed fence is otherwise conforming in height and openness.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a 3.0' fence pier foundation setback variation to permit the installation of fence piers at 1740 Lake Avenue in accordance with the plans submitted.

3.0 TESTIMONY, COMMENTS, AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Mr. Mark Lundell

3.12 Ms. Gigi Lundell

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a special use for an accessory living unit and a 22.7' front yard setback variation to permit the construction of a one-story addition and accessory living unit. The Village Board will hear this case on February 27, 2018.

3.22 Mr. Lundell said that the accessory living unit would be attached to their home and they are infringing on the setback by 22.7' from Bunker Lane. They bought the house 2.5 years ago. This was an English-type cottage that they have done some work on already. They added a mud room and sun room. They are improving the house. Ms. Lundell's mother is 88 years old and is more fragile. She lives on the south side. They are hoping to create a unit attached to the house that she could live in. The house is on .25 acre. The lot is an odd shape. The only place they could do this is to the north. It would be away from neighbors. They would use the existing garage for living space and create another garage.

Their current garage is kind of small and it is hard to negotiate even with two compact cars. So that is why they are proposing an additional 2' to the garage. The spoke with their neighbors and there was no objection. It will improve the neighborhood. They are at the end of the cul de sac. They planted pine trees in that area.

3.23 Mr. Surman clarified that there is no front yard setback variation.

Mr. Lundell said that the setback is 40'.

3.24 Mr. Schneider asked if they currently conformed. Do they have a 40' setback?

Mr. Lundell said they have a 40' setback.

3.25 Mr. Schneider said that the new garage puts them into that 40' area.

Ms. Lundell asked if the board has the architect's rendition.

3.26 Chairman Duffy said that the board has this document.

3.27 Mr. Schneider pointed out that the neighbor most impacted is the one across the street.

Mr. Lundell said that those neighbors support the request.

3.28 Chairman Duffy said he found reading the accessory living use standards to be interesting. They must renew their request annually to community development, but not to the board.

3.29 Mr. Surman asked what happens to the unit in the future.

3.30 Chairman Duffy said if the next home purchaser does not meet the criteria, they must remove the kitchen.

Mr. Lundell confirmed that they could make it into a tv room.

3.31 Chairman Duffy said that it could not be a living unit.

3.32 Mr. Surman said there has not been a request like this in years.

3.33 Mr. Schneider referenced 625 Park Avenue where there was a unit above the garage, but Ms. Roberts had explained that that is a separate building.

Ms. Roberts said that would not qualify as an accessory living unit and is a legal non-conforming use.

3.34 Mr. Surman clarified that they cannot have a separate entrance for the unit.

Ms. Roberts said that is done to maintain the single-family appearance of the home.

3.35 Mr. Surman asked if they were well within the FAR.

Ms. Roberts said that they were well within the FAR.

3.36 Chairman Duffy referenced 1.4 and it shows the front yard setback, which is 40', and that is the big issue.

3.37 There was no one in the audience to speak on this case.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Boyer said his initial thought was that this would be a difficult decision. But in reading through everything and visiting the site, it makes sense. All standards are met. The lot shape, the siting of the home, and the unique location at the end of the road are compelling and play into his thought that all standards are met. It is

adjacent to the golf course. There is no adverse impact to the neighborhood if the request is approved.

5.2 Mr. Kolleng agreed.

5.3 Mr. Schneider said that this is a unique situation as described.

5.4 Mr. Surman agreed.

5.5 Chairman Duffy said that they are at the end of the cul de sac and abut the golf course. No one is impacted by the request except maybe the neighbor across the street who support the request. Those neighbors have a large setback. His first thought was not wanting the accessory living unit to provide a townhome feel. After reading the requirements and upon further review of the plans, he had no problem with the request. There is a minimum size that they had to meet. It must be at least 600 square feet. There are age requirements and there is an annual renewal and indication that the person still lives there.

5.6 Mr. Boyer noted that a request like this on a traditional village lot would be much more difficult.

5.7 Chairman Duffy agreed.

6.0 DECISION

6.1 Mr. Boyer moved to recommend granting a special use for an accessory living unit and a 22.7' front yard setback variation to permit the construction of a one-story addition and accessory living unit at 4080 Bunker Lane in accordance with the plans submitted. The use shall run with the use.

6.11 Mr. Kolleng seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Michael Robke	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes
Christopher Tritsis	Not Present

Motion carried.

6.2 Mr. Boyer moved to authorize the chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2018-Z-04.

6.21 Mr. Kolleng seconded the motion and the voice vote was all ayes and no nays.

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the special use standards of Section 5.3.E and the variation standards of Section 5.4.F of the Zoning Ordinance. The proposed use of an accessory living unit is consistent with the Comprehensive Plan. The unit will house a senior relative within an addition to the existing home and so will not be detrimental to or endanger the public health, safety and welfare. Because it will be contained within the single-family home, the proposed use will not be injurious to the use or enjoyment of other property in the neighborhood. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding properties. The proposed use will not substantially diminish property values in the neighborhood. Adequate utilities, road access, drainage, and other necessary facilities already exist. With the expansion of the garage and driveway, adequate measures will be taken to provide ingress and egress to the proposed use. The proposed use will be consistent with the community character of the neighborhood. There are no known archaeological, historical or cultural resources to be affected by the special use. The standards of Article 5 are or will be met.

The physical conditions of the property, the irregular lot shape and the siting of the home on the lot, impose a practical difficulty. The plight of the owner was not created by the owner and is due to the unique circumstances of the lot. The difficulty is peculiar to the property in question. The proposed addition is to accommodate the specific needs of the owner, without which the owner will not be able to make reasonable use of the property. The proposed variations will not impair an adequate supply of light and air to adjacent property. The variations will not alter the essential character of the neighborhood.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a special use for an accessory living unit and a 22.7' front yard setback variation to permit the construction of a one-story addition and accessory living unit at 4080 Bunker Lane in accordance with the plans submitted. The use shall run with the use.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Mr. Esmael Haddadian, owner
238 Kilpatrick Avenue

3.12 Mr. Ali Sajadi, applicant
3628 Torrey Pines, Northbrook

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a revised request for a 706.47 square foot (8.41%) total floor area variation, a variation to exceed the first floor height limit, a 1.05' side yard setback variation, and a 3.13' combined side yard setback variation to permit the construction of a substantial addition and remodel that is classified as a new home. The village board will hear this case on February 27, 2018.

3.22 The owner said they listened to the board's suggestions at the last meeting. They have reduced the FAR request by over 200 square feet and they reduced the setbacks. Their family has grown and they need extra space. He wants to stay in the same neighborhood. The main issue for them is cost. They want to keep the existing foundation. He talked about an existing basement. It is not a habitable area especially during the summer. The street floods a lot. The basement is used as a play area. They want it to remain this way. They are requesting a variance for the basement and it is about 40 square feet less than the existing basement area. The main request is that the basement be considered as a basement. The other option is to demolish the house and build a new house. That would be costlier for them and would be more disturbing to the neighbors.

3.23 Mr. Boyer noted that the current house is a bi-level. They walk in and go down 5-6 steps to the lower level, which is the basement. They have the living/dining/kitchen area. They then walk up 6 steps to the three bedrooms. He confirmed that when they build the addition, there will be no new basement. The crawl space remains. The basement, as it exists, stays. If they remove the square footage of the current basement, the total square footage of the project is about 3,991 so the total square footage of the new project is under what they are allowed. If they tore down the house and built a new house, would they add a basement?

The applicant said he would add a basement with 8'6" high ceilings.

3.24 Mr. Boyer said that with the new footings, they would be 9' to 10' down.

The applicant reiterated that he did not want to tear down the house due to cost.

- 3.25 Mr. Schneider said they refer to this as a basement, but it is not really a basement.
The applicant said that it is not a full basement.
- 3.26 Mr. Schneider said that the “basement” is counted as area.
Ms. Roberts said that is due to the height of the first floor above grade.
- 3.27 Mr. Surman asked about ceiling height in the lower level.
The applicant said that the lower level is about 7’6”. They meet code requirement.
Ms. Roberts said that if you back out the area of the existing basement, the proposed floor area is 3,991, which is under the 4,032 that is allowed.
- 3.28 Chairman Duffy referenced 1.16 and 1.17, demolition plan. Are they removing most of the foundation?
Mr. Sajadi showed what is existing and put this on the over-head, so the board could review.
- 3.29 Chairman Duffy clarified that the L-shape of the foundation is coming out.
- 3.30 Chairman Duffy asked about the change in the plan regarding reduction in setbacks.
Mr. Sajadi said they moved the entire south wall, the entire 51’, by 2’ pushed to the north. They also moved the east wall of the house in 2’.
- 3.31 Chairman Duffy clarified that the house is narrower, and the house was shortened from the backside. They cannot move it any more to the north because that would impact the garage. They need the 20’ for the garage. Without the side yard setbacks, they wouldn’t get the garage.
- 3.32 Mr. Schneider asked if the south wall of the old and the new house in the same location as the current foundation of the garage.
Mr. Sajadi said that this is a new wall.
- 3.33 Chairman Duffy noted that there is a driveway running to a rear detached garage. The house will now go all the way across where the driveway exists.
- 3.34 Mr. Schneider clarified that the garage could be located anywhere and is not the determining factor. It has to be 20’ wide, but it could be moved to the north.
Mr. Sajadi said if they moved the south wall further north, the kitchen would be squeezed in. It is not a good design.

- 3.35 Mr. Schneider referenced the area between the garage and master bedroom. Can they squeeze the family room more?

Mr. Sajadi said that they are currently below the FAR limitation. They are 30 square feet less than what is allowed if they exclude the lower level.

- 3.36 Mr. Boyer referenced the original request. There was a variation for the requirement that an attached front-loaded garage be within 5' behind the front façade.

The applicant said this was a mistake because he pushed the garage 6" to the east. Now instead of 5' he has 5'6".

- 3.37 Mr. Boyer asked how much out of compliance it was previously.

Mr. Sajadi said that it was a few inches out of compliance.

- 3.38 Chairman Duffy referenced changing the setback issue. The applicant said he shrunk it by 2' from the south wall. He is looking at the original plans, exhibit 1.8, and the width is 20' + 18'10" + 14'6" so that is about 53' in width.

Mr. Sajadi said that it currently is 50'.

- 3.39 Chairman Duffy said that it shows on 1.19, proposal, 53'2".

Mr. Sajadi said Mr. Duffy was not looking at the correct document.

- 3.40 Mr. Surman said it indicates 53' at the top of the page.

- 3.41 Chairman Duffy said they have not shrunk the building width according to the plans.

Mr. Sajadi said that the plans must be incorrect.

- 3.42 Mr. Surman said that the garage would only be 16'.

Mr. Sajadi said that the plan is correct. 53' should change to 50'. He said that one dimension was 18' and originally was 20'.

- 3.43 Chairman Duffy added up 15'8" + 19'6" + 18' is 53'. How did they lose 2'? They took off 2' but added 2' in another dimension. The dining room section was 20' and now it is 18'. But the middle section was 18'1" and now it is 19'6".

Mr. Sajadi said that the existing demising wall was added to the basement area.

- 3.44 Chairman Duffy noted that another dimension changed from 14' to 15'. But they still add up to 53'.

Mr. Sajadi said that the square footage is currently less than the original proposal. One wall moved 2' in and another wall moved in 2'.

Ms. Roberts said that the floor area is showing the front piece at 20' and the back dining room got narrower.

Mr. Sajadi said that the original plans showed the side yard setback at 6' and now it is 8'.

Ms. Roberts said that the original plans showed 8'.

3.45 Chairman Duffy said that the current plans shows 8'.

Mr. Sajadi said it was originally 6' and now is 8'.

3.46 Mr. Surman said that the old site plan shows 53'. Maybe one wall was moved over, but they did not move another wall.

Ms. Roberts said that the site plan has always said 8'.

3.47 There was continued discussion about the dimensions. Chairman Duffy said that the dimension at the bottom shows 52.

3.48 Chairman Duffy noted that the different dimensions add up differently. The foundation drawing says that it is 50' wide. One number cannot be differentiated between 18' and 16'. If it is 16' it is closer to the 50' dimension. The number is smudged.

3.49 There was discussion as to which was the old plan, and which was the new plan.

3.50 Chairman Duffy said that 15'2" should be the correct number.

Mr. Sajadi apologized for his error.

3.51 Mr. Surman said that the correct dimension is shown on one document for the foundation, but the first floor is not correct. Plans were not altered to reflect the change.

Mr. Sajadi said that the dimensions could be in error, but the square footage is under what is allowed.

3.52 Chairman Duffy said that the way the board moves forward with this is that the plans be approved as submitted. The plans submitted are wrong. He suggested that the plans be corrected and that the applicant resubmit for the next hearing in two weeks. The board needs to move forward with the correct plans.

- 3.53 Mr. Boyer asked if the board was going to stop discussion now.
- 3.54 Chairman Duffy said his thought was to get past the plans. The dimensions are wrong. If there is something else about the case that the board wants to discuss, then it should be discussed now so that when they come back they will return with correct plans.
- 3.55 Mr. Boyer agreed with the chairman's logic. He is leaning towards approval as worded and not as submitted.
- 3.56 Chairman Duffy asked if the board had additional questions. When they come back, they will submit a plan with proper dimensions.
- 3.57 Mr. Schneider does not see the hardship for the FAR variation.
- 3.58 Mr. Surman is on the fence with that request. The windows above grade are much nicer. Most basements have window wells.
- 3.59 Chairman Duffy said that the "basement" is counting as living area. But the applicant is asking the board not to count it as FAR.
- 3.60 Mr. Boyer said if the applicant filled in that lower level space and he didn't have anything, would Mr. Surman be okay with the application. Then the FAR issue goes away. He added that each house is unique so there is no precedent. When the board looks at historic homes that are built higher, the basement under the property is 4' high. The board offers relief in those situations.
- 3.61 Chairman Duffy said that the depth of those basements is often 6'. Those spaces are not usable like this space is usable.
- 3.62 Mr. Boyer said he would like at tonight's basement as a typical basement. If they have the head space, they will finish the basement and use the space. If there is 8', the homeowner would finish that space for use. There is a crawl space and a lower level, which is the basement. To him, it is the exact same situation.
- 3.63 Mr. Schneider disagrees. Thousands of split level houses have been built where the lower level is a family room or bedroom. The ceiling is higher than 4' above grade.
- 3.64 Mr. Boyer said that someone could have a four-square basement and finish it and not have the FAR counted. This home does not have a full basement. There is only half of the area that is under the existing home that is being caught due to the home style. There is not other basement.
- 3.65 Chairman Duffy asked if there was anyone in the audience to speak on the case. The applicant needs to know what to address when they return to the next board meeting. The person in the audience did not want to speak at the meeting.

- 3.66 Chairman Duffy summarized that some board members are for the request while others are against it. It hinges on the FAR. The applicant needs to return with amended plans showing correct dimensions.

Mr. Sajadi said he currently lives in Northbrook. He has a split-level home with a large addition. He talked about homes in the village that he built where the space was not counted.

- 3.67 Mr. Schneider said his sister lived in Morton Grove for 30 years. The home was similar. They created a lower level family room. It was a living space as it was intended to be.

The applicant said that the space is humid in the summer. He wants a space that they can use in the four seasons.

- 3.68 Mr. Surman said it would help him if they could show the elevation height of the first floor and then the lower level. The front elevation is deceiving and works against the applicant. Right now, it looks like the window sill is at 3'. Is that the case?

The applicant said that the window sill is at 4'.

- 3.69 Mr. Surman suggested that they bring in an accurate section.

- 3.70 Chairman Duffy said that the garage door height seems to be off.

The applicant said that it is at 8'.

- 3.71 Chairman Duffy said that the neighborhood is full of split level houses. There was one two-story house around the curve. The proposed home would be a unique structure in the neighborhood. Does it impact the neighborhood? Is this just the first house like this? Will there be others in the future?

- 3.72 Mr. Surman said that the dimension for the height is 28'9" and they can go up to 35'. If it was lower, it would be a better fit with the neighborhood.

- 3.73 Chairman Duffy said that the applicant will return to the next hearing with correct drawings. The next hearing is February 21, 2018. The meeting after that is March 7, 2018.

6.0 DECISION

- 6.1 Mr. Kolleng moved to continue this case to the February 21, 2018 meeting.

6.11 Mr. Schneider seconded the motion and the voice vote was all ayes and no nays (Messrs. Robke and Tritsis were not present).

Motion carried.